

RESTRICTION/ELECTION

Applicants note that the restriction requirement has now been made final. Applicants understand that additional species will be examined upon an indication of allowability for the elected species.

REJECTION - 35 U.S.C. § 112, SECOND PARAGRAPH

Claim 6 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. As suggested, the Applicants have amended the claim to delete the parentheses in line 12. Accordingly, this rejection may now be withdrawn.

REJECTION - 35 U.S.C. § 102

Claim 6 was rejected under 35 U.S.C. § 102(e) as being anticipated by Okawa et al., U.S. Patent Application Publication No. 2002\0022062 A1. Applicants provide herewith a certified translation of priority document 2000-268104, filed September 5, 2000, in the name of Kao Corporation. The priority document supports the present invention, see e.g., the Abstract and page 6, which describe the combination of chlorogenic acid and an organic acid having a molecular weight of 60 to 300. Accordingly, the Applicants respectfully request that this rejection be withdrawn.

REJECTION - 35 U.S.C. § 103

Claim 6 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Hsu, U.S. Patent No. 5,958,417 and Vickers, U.S. Patent No. 4,434,177. The cited prior art does not render the invention obvious as neither document specifically suggests that administration of a mixture of chlorogenic acid and an organic acid having a molecular weight from 60 to 300

would treat hypertension or exert the superior effects on hypertension produced by the present invention.

Hsu, col. 2, lines 55-64, describes the medicinal use of the flowers and fruits of the hawthorn plant (*Crataegus oxyacantha*) to treat various diseases, including hypertension, and that this plant contains various active principles, besides chlorogenic acid, including caffeic acid, citric acid, crataegolic acid, malinic acid, and ursolic acid. However, there is no suggestion that the specific combination of a chlorogenic acid and an organic acid having a molecular weight ranging from 60 to 300 would treat hypertension. Moreover, there is no specific suggestion that chlorogenic acid is the active principle in hawthorn flowers or fruit that might treat hypertension.

Vickers describes using the combination of ascorbic acid and the amino acid dopa to treat hypertension. However, there is no suggestion that ascorbic acid, *per se*, would treat hypertension or that the combination of chlorogenic acid and an organic acid having a molecular weight ranging from 60 to 300 would exert significant anti-hypertensive effects.

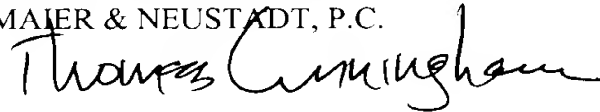
Moreover, neither document suggests the superior antihypertensive effects obtained by the combination of chlorogenic acid and an organic acid (such as Vitamin C) having a molecular weight ranging from 60 to 300 as shown in the attached Declaration (executed copy to follow). As shown in Table 1 of the Declaration, the combination of chlorogenic acid and Vitamin C provides significant immediate and sustainable antihypertensive effects that are not provided by either compound alone. Accordingly, as neither document suggests the composition of the present invention or the superior effects provided by such a composition, the Applicants respectfully request that this rejection be withdrawn.

CONCLUSION

In view of the above amendments and remarks, the Applicants respectfully submit that this application is now in condition for allowance. Early notification to that effect is earnestly solicited.

Respectfully submitted,

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MARKED-UP COPY OF AMENDMENT

IN THE CLAIMS

Please amend Claim 6 as follows:

--6. (Amended) A method for treating hypertension[, which comprises] comprising:
administering [effective amounts of the following components (A) and (B)] a
composition comprising:

(A) a compound selected from the group consisting of caffeic acid, chlorogenic acid
and ferulic acid, [and] or an ester[s and] or pharmaceutically acceptable salt[s] thereof; and

(B) an organic acid having a molecular weight ranging from 60 to 300 or a
pharmaceutically acceptable salt thereof, wherein said organic acid is not citric acid [a
component selected from the group consisting of central nervous system stimulating
components, food fibers, extracts of perennial evergreen leaves of the genus *Camellia*,
Theaceae, or *Eucommia ulmoides* Oliver, *Eucommiae*, organic acids having a molecular
weight of 60 to 300 (excluding citric acid) and pharmaceutically acceptable salts thereof, and
sugar alcohols].--

Add new Claims 7-18:

--Claims 7-18. (New).--